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REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of

ATTN: Office of Petitions

Tsutomu SHIGA et al.

Application No.: 10/743,103

Filed: December 23, 2003

Docket No.: 117386.99

For: STARTER

PETITION REQUESTING WITHDRAWAL OF NOTICE
OF INCOMPLETE REISSUE APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Incomplete Reissue Application (copy enclosed) was mailed on April 19, 2004, for the above-identified application. In particular, the Notice asserts that the above-identified reissue application was filed without a specification, claims or drawings. The Notice further asserts that the reissue application was filed without a statement by the assignee establishing ownership. It is respectfully submitted that this Notice was issued in error.

This application was filed on December 23, 2003 with 11 pages of specification (including 16 claims), 21 sheets of drawings (Figs. 1-26), an originally executed Reissue Declaration and a Consent of Assignee to Reissue and Offer to Surrender Letters Patent. Copies of all papers, as filed on December 23, 2003, are attached. In addition, attached is the U.S. Patent and Trademark Office Acknowledgement of Receipt of the application bearing the December 23, 2003 receipt date stamp, wherein the Patent Office acknowledged receipt of all filed papers.

05/04/2004 YPOLITE1 00000114 10743103

01 FC:1205
02 FC:1460

130.00 DA

10.00 0P



UNITED STATES PATENT AND TRADEMARK OFFICE

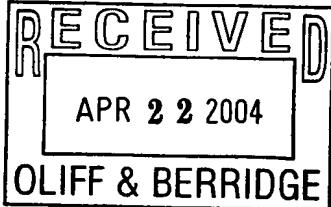


UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Reissue

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/743,103	12/23/2003	Tsutomu Shiga	117386.99

25944
OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320



CONFIRMATION NO. 8155
FORMALITIES LETTER

 OC000000012387148

Date Mailed: 04/19/2004

NOTICE OF INCOMPLETE REISSUE APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification is missing.
- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.
- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this reissue application will be the date of receipt of the items required above.

- Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.172 requires that all assignees consenting to the reissue application establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b).

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

05/03/2004 YPDOLITE1 00000053 10743103

01 FC:1202

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05/04/2004 YPDOLITE1 00000114 150461 10743103

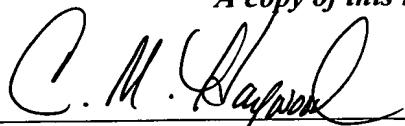
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02 FC:1460

130.00 DA

18.00 0P

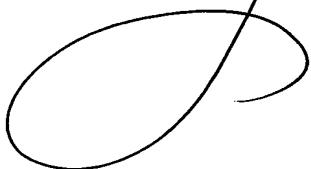
*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNPUBLISHED MATERIALS OF WALTER B. THOMAS, 1945-1946 (44) DEC. 1951

10 DEC 2 3 2003 DEC 2 3 2003

3 DONVISH et al.; 11/19/00; U.S. Pat. Spec. 11,411,681; CL 149532/028; Updrew (Figs. 1-7) JWS
4 WASSERMAN; 09/24/31; 1689; 10/14/73; 869 - An Reconsideration! After final review

(15) SHIBATA et al., 10/3/21, 1658; 11/4/20 leg. for *Acacia*, *Albion*, *deflexa* (3 sp.) J.C.P.

8. Nebraska 04/80, 483 1088873 Amul (St. Louis) REG. CO. Co-ordinator, vol. attachment
 9. Nebraska 10/228, 333 113548 Amul (St. Louis) UBD TO Official Draftsman w/ figs 2

20 Tsurui et al 9/1993, 522 11/223 Ami (St. Louis) Deinest 90. Consideration
21 Chonnam, Korea 1998 33 11/2308 Ami (St. Louis) 5 cm. Consideration
22 Chonnam, Korea 1998 33 11/2308 Ami (St. Louis) 5 cm. Consideration
23 Chonnam, Korea 1998 33 11/2308 Ami (St. Louis) 5 cm. Consideration

22 Bothell et al. 10/6/56, 1887 Home (St. Louis) Rep. to NHC in file Missing flats w/ file. G7149549

10/19/13 1/13 85i nat. hair 37 (Fr. 1/11/14)

205 (WIA et al.); 09/384, 476, 110655, LCC Ch# 146525 (476), 1201, Ch# 146533 (476). And (476) -
Hans (St. Louis) best. for corrected NBSCE 15. Reconditioned with National

7. *U. S. Fish & Game* 1911: 89 (9 figs, 4 col. b/w illus.); 1933: 159 (part, Ch. 4), 4543 (\$1333) (spec.).

the *W. 81* and *W. 82* are the same, and the *W. 83* is the same as the *W. 82*.

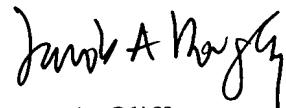
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H/C

Favor-Felic

The appropriate official of the U.S. Patent and Trademark Office is invited to contact the undersigned if there are any questions relating to this matter

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/tje

Attachments:

Copy of Notice of Incomplete Reissue Application
Copy Oliff & Berridge Logbook Page 146
Copy of Return Serial No. Postcard
Copy of PTO Receipt for Filing Papers
Copy of Application Transmittal
Copy of Reissue Application (11 page specification, 21 sheets of drawings, Figs. 1-26)
Copy of Attorney Docket Number for Reissue Application of U.S. Patent No. 5,760,485
Copy of Consent of Assignee to Reissue (37 C.F.R. §1.172(a))
Copy of Reissue Declaration
Copy of Recordation of Assignment Transmittal
Copy of Information Disclosure Statement

Date: April 29, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
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P.S. At a minimum, the U.S. Patent and Trademark Office is requested to accord today's date to this application in view of the resubmission of the Reissue Application. However, for the reasons detailed above, it is respectfully submitted that this application is entitled to the December 23, 2003 filing date.

In addition, attached is a copy of the Oliff & Berridge, PLC logbook showing that this application was delivered to the U.S. Patent and Trademark Office on December 23, 2003 with 11 pages of specification, 21 sheets of drawings, the originally executed Declaration and Consent of Assignee.

In view of the foregoing evidence, it is respectfully submitted that this application was in fact received in the U.S. Patent and Trademark Office on December 23, 2003.

In view of the foregoing, this Petition requests the U.S. Patent and Trademark Office to accord this application the December 23, 2003 filing date, since the 11 pages of specification, 21 sheets of drawings and originally executed Declaration were received by the U.S. Patent and Trademark Office in view of the Patent Office acknowledgement of receipt. In addition, the U.S. Patent and Trademark Office is respectfully requested to rescind the Notice of Incomplete Reissue Application.

The U.S. Patent and Trademark Office is authorized to debit Deposit Account 15-0461 for the \$130.00 Petition Fee under 37 CFR §1.17(i). However it is respectfully submitted that the Petition Fee should be waived in this application in view of the evidence showing that the application was filed on December 23, 2003.



► Mail Room (Regular Delivery)

The following papers have been filed:

Reissue App Trans w/check #149538 \$1,060, AppData; Reissue App, Attorney Docket No. for Reissue Appln w/Consent of Assignee to Reissue & Offer to Surrender Letters Patent; Reissue Dec. Assign Trans w/check #149563 \$40 w/exec. Assign., IDS w/PTO-1449 & 9 refs.

Name of Applicant: Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO

Serial No.: New U.S. Reissue Application

Atty. File No.: 117386.99

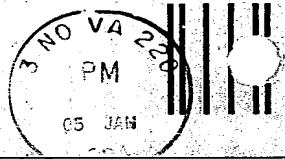
Title (New Cases): STARTER

Sender's Initials: JAO/JAD/ldg

ASSIGNEE: Denso Corporation

122387-1115-PTO
10/7/2003

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PO BOX 19928
ALEXANDRIA VA 22320-9801



PTO RECEIPT FOR FILING OF PAPERS

► **Mail Room (Regular Delivery)**

The following papers have been filed:

Reissue App Trans w/check #149538 \$1,060, AppData, Reissue App, Attorney Docket No. for Reissue Appln w/Consent of Assignee to Reissue & Offer to Surrender Letters Patent, Reissue Dec., Assign Trans w/check #149563 \$40 w/exec. Assign., IDS w/PTO-1449 & 9 refs



Name of Applicant: Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO

Serial No.: New U.S. Reissue Application

Atty. File No.: 117386.99

Title (New Cases): STARTER

NEW APPLICATION

Sender's Initials: JAO:JAD/ldg

146/40

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**

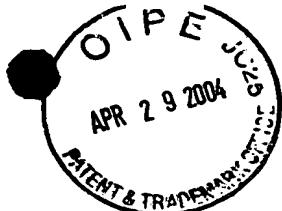
OLIFF & BERRIDGE, PLC

P.O. Box 19928

Alexandria, Virginia 22320

Telephone: (703) 836-6400

Facsimile: (703) 836-2787



Attorney Docket No.: 117386.99

Date: December 23, 2003

MAIL STOP REISSUE

Customer Number: 25944

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Reissue Application of U.S. Patent No. 5,760,485, issued June 2, 1998, Serial No. 08/600,991.

For (Title): STARTER

By (Inventors): Tsutomu SHIGA, Nobuyuki HAYASHI, Masanori OHMI and Sadayoshi KAJINO

A Reissue Declaration (executed by the inventor(s)) is filed herewith.

A Consent of Assignee to Reissue is filed herewith.

An Information Disclosure Statement is filed herewith.

A Claim for Priority is filed herewith.

A Preliminary Amendment is filed herewith. Claims added by this Amendment are properly numbered consecutively beginning with the number next following the highest numbered claim in the application.

Entitlement to small entity status is hereby asserted.

The filing fee has been calculated as shown below:

CLAIMS IN THE APPLICATION AFTER ENTRY OF
ANY PRELIMINARY AMENDMENT NOTED ABOVE

FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	20 - 20	= 0
INDEP CLAIMS	1 - 3	= 0
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED		

SMALL ENTITY	
RATE	FEES
	\$ 385
x 9 =	\$
x 43 =	\$
+145 =	\$
TOTAL	\$

OTHER THAN A SMALL ENTITY	
OR	RATE
OR	\$ 770
OR	X 18 \$
OR	X 86 \$
OR	+ 290 \$ 290
TOTAL	\$ 1,060

* Number of claims in original patent or 20, whichever is greater

** Number of independent claims in original patent

*** If the difference is less than zero, enter "0".

Check No. 149538 in the amount of \$1,060 to cover the filing fee is attached. Except as otherwise noted herein, the Commissioner is hereby authorized to charge any other fees that may be required to complete this filing, or to credit any overpayment, to Deposit Account No. 15-0461. Two duplicate copies of this sheet are attached.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671



Application Data Sheet

Application Information

Application Type:: Reissue
Subject Matter:: Utility
CD-ROM or CD-R:: None
Title:: STARTER
Attorney Docket Number:: 117386.99
Suggested Drawing Figure::
Total Drawing Sheets:: 21
Small Entity:: No

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Tsutomu
Middle Name::
Family Name:: SHIGA
Name Suffix::
City of Residence:: Nukata-gun
State or Province of Residence:: Japan
Country of Residence:: Japan

Applicant Authority type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Nobuyuki
Middle Name::
Family Name:: HAYASHI
Name Suffix::

City of Residence:: Nagoya-city
State or Province of Residence:: Japan
Country of Residence:: Japan

Applicant Authority type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Masanori
Middle Name::
Family Name:: OHMI
Name Suffix::
City of Residence:: Anjo-city
State or Province of Residence:: Japan
Country of Residence:: Japan

Applicant Authority type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Sadayoshi
Middle Name::
Family Name:: KAJINO
Name Suffix::
City of Residence:: Nagoya-city
State or Province of Residence:: Japan
Country of Residence:: Japan

Correspondence Information

Correspondence Customer Number:: 25944

Domestic Priority Information			
Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application is a	Reissue of	5,760,485	6/2/1998
This Application is a	National Stage of	PCT/JP94/02166	12/19/1994

Foreign Priority Information			
Country::	Application Number::	Filing Date::	Priority Claimed::
Japan	PCT/JP94/02166	12/19/1994	Yes
Country::	Application Number::	Filing Date::	Priority Claimed::
		MM / DD / YY	Yes
Country::	Application Number::	Filing Date::	Priority Claimed::
		MM / DD / YY	Yes
Assignee Information			
Assignee Name::	Denso Corporation		
Street of mailing address::	1-1 Showa-cho		
City of mailing address::	Kariya-city,		
State or Province of mailing address::	Aichi-Pref.		
Country of mailing address::	Japan		
Postal or Zip Code of mailing address::			